

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 20, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAYDIN LEDFORD, also known as
Jaydin Harvey Wesley Ledford,

Defendant.

NO: 2:19-CR-49-RMP

PRETRIAL ORDER AND ORDER
GRANTING DEFENDANT'S
MOTION TO EXTEND DEADLINES

BEFORE THE COURT is Defendant Jaydin Ledford's Agreed Motion to Extend Deadline for Filing Pretrial Motions and Continue PTC, ECF No. 44, and Motion to Expedite, ECF No. 45. Defendant moves for a continuance of the filing deadlines to allow additional time to review discovery in this matter and investigate and prepare this case. Defendant represents that the Government does not object to a continuance in this matter. ECF No. 44 at 2.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Motion to Extend Deadlines, **ECF No. 44**, and Motion to Expedite, **ECF No. 45**, are **GRANTED**.

PRETRIAL ORDER AND ORDER GRANTING DEFENDANT'S MOTION TO
EXTEND DEADLINES ~ 1

1 **2.** Trial remains set for **October 15, 2019**, at **8:45 a.m.** commencing with
2 a **final** pretrial conference at **8:30 a.m.** All hearings shall take place in **Spokane**,
3 Washington.

4 **3.** The pretrial conference set for **July 11, 2019**, is **STRICKEN**. The
5 pretrial conference set for **October 1, 2019**, at **10:30 a.m.** remains as scheduled.

6 **4.** Counsel for defense shall notify Defendant of all hearings and ensure
7 his attendance at court.

8 **5.** Motions to Expedite, if any, shall be filed separately and noted for
9 hearing two (2) days from the date of filing, after informing opposing counsel of
10 such.

11 **6.** Discovery motions, pretrial motions, and motions in limine shall be
12 filed by **September 10, 2019**; responses are due **September 17, 2019**; and replies
13 are due **September 24, 2019**. Counsel shall note their motions for hearing at the
14 pretrial conference on **October 1, 2019**.

15 **7.** Trial briefs, requested voir dire, witness lists, jointly proposed jury
16 instructions, and a table of proposed jury instructions shall be filed and served by
17 **October 5, 2019**, for the Court's consideration.

18 **(a)** The jointly proposed jury instructions should address only issues that
19 are unique to this case and shall include instructions regarding the elements
20 of each count, any necessary definitions, and a proposed verdict form.
21

(b) The parties shall provide the Court electronically with a table of proposed, cited jury instructions. This table shall include:

- (i) The instructions on which the parties agree;
- (ii) The instructions that are disputed; and
- (iii) The basis of any objection.
- (iv) The jury instruction table shall be substantially in the following form:

Proposed by	Instruction #	9th Cir. Cite	Objection	Response to objection
-------------	---------------	---------------	-----------	-----------------------

(c) In addition to the jury instruction table, each party shall address any objections they have to instructions proposed by any other party in a memorandum filed by **October 5, 2019**. The parties shall identify the specific portion of any proposed instruction to which they object supported by legal authority that supports the objection. Failure to file an objection to any instruction may be construed as consent to the adoption of an instruction proposed by another party.

8. *Pretrial Exhibit Stipulation*

(a) The parties shall prepare a pretrial exhibit stipulation that shall contain each party's numbered list of all trial exhibits with the opposing party's objections to each exhibit, including the basis of the objection and the offering party's brief response. All exhibits to which there are no objections shall be

deemed admitted, subject to any objections at trial that could not be raised in advance.

(b) The pretrial exhibit stipulation shall be substantially in the following form:

Pretrial Exhibit Stipulation

Plaintiff's/Defendant's Exhibits

Exhibit No.	Description	If Objection, State Grounds	Response to Objection
-------------	-------------	-----------------------------	-----------------------

(c) The pretrial exhibit stipulation shall be filed by **October 5, 2019**.

Failure to comply with this paragraph could be deemed to constitute a waiver of all objections. Do not submit blanket or boilerplate objections to the opposing party's exhibits. These will be disregarded and overruled.

(d) Exhibits shall be pre-marked with the exhibit numbers that will be used at trial. Plaintiff's trial exhibits are to be numbered 1 through 199, and Defendant's exhibits are to be numbered 200 and following.

(e) Objections to exhibits and witnesses shall be heard at the final pretrial conference.

9. Trial Procedures

The following procedures shall be utilized at trial:

(a) The Court utilizes JERS (Jury Evidence Recording System) to allow evidence admitted for a trial to be viewed electronically via touchscreen

monitor in the jury deliberation room upon the conclusion of the trial. Please

1 note that the jury will receive a verbatim copy of the JERS exhibit list. Please
2 carefully review and follow the instructions provided.

3 [JERS Instruction Sheet for Attorneys](#)

4 **(b)** The Court will conduct the majority of jury voir dire but allow counsel
5 fifteen minutes to ask additional questions or to do more in depth exploration
6 of issues raised by the Court;

7 **(c)** A total of thirteen jurors will be selected. Plaintiff shall have six
8 peremptory challenges, Defendant shall have ten peremptory challenges, and
9 each party shall have one challenge for the alternate juror. Fed. R. Crim. P.
10 24. The challenges shall be exercised alternately;

11 **(d)** Regular trial hours shall be from 8:45 a.m. to 12:00 noon, and 1:15 to
12 4:30 p.m.;

13 **(e)** The jurors will be provided with notebooks for note-taking and a copy
14 of preliminary instructions;

15 **(f)** Documents published to the jury by counsel shall be collected at the
16 conclusion of trial each day or following a witness's testimony regarding the
17 published document;

18 **(g)** A single photograph shall be taken of all witnesses following their
19 testimony for use by the jury to correlate a witness with the testimony he or
20 she provided. The photographs shall be maintained in a three-ring binder by
21 the Court. The photograph will have the witness's name on it and the date of

1 the witness's testimony. The photographs will be provided to the jury to assist
2 them during deliberations. Following deliberations, the photographs will be
3 destroyed by the Court and will not be a part of the record;

4 **(h)** Examination of witnesses shall be limited to direct, cross, redirect and
5 recross. Fed. R. Evid. 611(a);

6 **(i)** Counsel are encouraged to limit requests for sidebars by anticipating
7 legal and evidentiary issues so that the issues may be addressed before trial
8 begins each day, during the lunch hour, or after trial hours;

9 **(j)** During trial, counsel are encouraged to exchange lists of the next day's
10 witnesses and exhibits so that objections or legal issues may be anticipated
11 and resolved outside the normal trial hours;

12 **(k)** Counsel shall have the next witness to be called to testify available
13 outside the courtroom, to avoid delay; and

14 **(l)** An attorney's room for Plaintiff and for Defendant is available.

15 Counsel may inquire with the on-duty Court Security Officer for access to the
16 room.

17 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
18 Order and provide copies to counsel.

19 **DATED** June 20, 2019.

20 s/ Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
21 United States District Judge